

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ORRIN TYLER COLBOURN,
Plaintiff,
v.
CALIFORNIA COURTS, et al.,
Defendants.

No. 2:20-cv-0725 DB P

ORDER

Plaintiff, a county jail inmate proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

On April 13, 2020, plaintiff was ordered to file an in forma pauperis application within thirty days. (ECF No. 3). The application form requires a certification of the sum plaintiff has on account by the institution of incarceration, and federal statutory law requires the submission of a certified copy of the inmate's trust fund account statement (or the institutional equivalent) for the six-month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2).

On April 22, 2020, plaintiff filed documents with this court indicating that he had requested a trust account statement from Butte County Jail authorities. (See ECF No. 4). Thereafter, on May 7, 2020, plaintiff filed a document stating that the jail has refused to return a certified trust account statement for this matter. (See ECF No. 6). Shortly thereafter, on May 11, 2020, plaintiff also filed a motion requesting that Butte County Jail be ordered to send a copy of his certified trust account statement to the court. (See ECF No. 7).

Good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to compel the Butte County Jail to send the court a copy of his prisoner trust fund account statement (or the institutional equivalent) (ECF No. 7) is GRANTED;

2. The Clerk of Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By A Prisoner;

3. Within thirty days of the date of this order, plaintiff shall complete his part of the form and then ask the appropriate jail official to fill out and certify its part. The completed document shall be filed within this time-period;

4. The appropriate Butte County Jail official is directed to submit a certified copy of the jail trust fund account statement (or its equivalent) for inmate Orrin Tyler Colbourn, inmate identification number 129561, to the Clerk's Office within 72 business hours of this notification. The statement must reflect the activity for the last six months. Please e-mail the certified jail trust account statement in .pdf format to FilingsSacramento@caed.uscourts.gov with the case number in the subject line as reflected on the first page of this order, and

5. The appropriate Butte County Jail official is also directed to fill out and certify the information requested of the jail on plaintiff's Application to Proceed In Forma Pauperis By A Prisoner when plaintiff presents it. Thereafter, the form shall be returned to plaintiff so that he may file it with this court.

Dated: May 18, 2020


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:13
DB/ORDERS/ORDERS.PRISONER.CIVIL RIGHTS/colb0725.jail.o.ptfas